

1 DANIEL G. BOGDEN
United States Attorney
2 CRISTINA D. SILVA
Assistant United States Attorney
3 Nevada Bar No. 13760
4 501 Las Vegas Blvd. South, Suite 1100
Las Vegas, Nevada 89101
5 PHONE: (702) 388-6336
FAX: (702) 388-5087
6 cristina.silva@usdoj.gov

7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

9 **-oOo-**

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 vs.

13 VICTOR PERE-QUIROZ,

14 Defendant.

2:16-cr-00093-GMN-VCF

~~2:16-cr-00099-GMN-VCF~~

STIPULATION TO CONTINUE
GOVERNMENT'S DEADLINE TO
FILE OBJECTIONS TO THE
REPORT AND
RECOMMENDATION
REGARDING DEFENDANT'S
MOTION TO SUPPRESS
(Doc. #70)

18 IT IS HEREBY STIPULATED AND AGREED, by and between DANIEL G.
19 BOGDEN, United States Attorney, and Cristina D. Silva, Assistant United States
20 Attorney, counsel for the United States of America, and Brew Whipple, Esq., counsel
21 for defendant VICTOR PERE-QUIROZ, that the Government's deadline to file
22 objections to the report and recommendation regarding defendant's motion to suppress
23 (Doc. #70), in the above-captioned matter, be continued until August 15, 2016.¹
24

¹ The original response deadline was August 7, 2016, which was a Sunday.

This Stipulation is entered into for the following reasons:

1. The counsel for the Government, AUSA Silva, was preparing for a trial that resolved in a plea on Wednesday, August 3, 2016. Accordingly, the Government needs additional time to consider the report and recommendation and decide if objections will be filed.
2. The parties have discussed the continuance and agree to extend the response and reply deadlines.
3. The defendant is incarcerated but does not object to a brief continuance of the deadline.
4. The additional time requested herein is not sought for purposes of delay, but to allow for consideration of the report and recommendation and the evidence.
5. That this is the first request for a continuance of Government's deadline to file objections to the report and recommendation.

DATED this 5th day of August, 2016.

DANIEL G. BOGDEN
United States Attorney

//s//
BRET WHIPPLE, ESQ.
Counsel for Defendant -
Victor Pere-Quiroz

//s//
CRISTINA D. SILVA
Assistant United States Attorney

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

-oOo-

UNITED STATES OF AMERICA,

Plaintiff,

vs.

VICTOR PERE-QUIROZ,

Defendant.

2:16-cr-00093-GMN-VCF

~~2:16-cr-00099-GMN-VCF~~

ORDER

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court hereby finds that:

1. The counsel for the Government, AUSA Silva, was preparing for a trial that resolved in a plea on Wednesday, August 3, 2016. Accordingly, the Government needs additional time to consider the report and recommendation and decide if objections will be filed.
2. The parties have discussed the continuance and agree to extend the response and reply deadlines.
3. The defendant is incarcerated but does not object to a brief continuance of the deadline.
4. The additional time requested herein is not sought for purposes of delay, but to allow for consideration of the report and recommendation and the evidence.
5. That this is the first request for a continuance of Government's deadline

to file objections to the report and recommendation.

CONCLUSIONS OF LAW

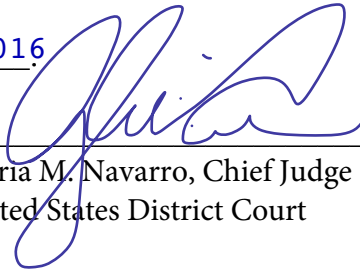
Based on the fact that the parties have agreed to the continuance; based on the fact that the defendant does not object to the continuance; and based on the fact that denial of this request for continuance could result in a miscarriage of justice, the Court hereby concludes that:

The ends of justice are served by granting said continuance, since the failure to grant said continuance would be likely to result in a miscarriage of justice and would deny adequate time for the United States to consider the report and recommendation and file any objections if necessary, taking into account the exercise of due diligence.

ORDER

IT IS THEREFORE ORDERED that the deadline for the Government to file objections to the Report and Recommendation regarding defendant's motion to suppress (Doc. #70) is hereby reset to August 15, 2016. Defendant shall file a reply by August 30, 2016.

Dated: August 10, 2016



Gloria M. Navarro, Chief Judge
United States District Court